

REMARKS

This responds to the Advisory Action mailed on 6 December and the Office Action mailed on 5 September 2006.

Claims 1, 2, 7, 11, 12, 13, and 19, and withdrawn claims 20, 26, 29, 32, 38, and 43 are amended, no claims are canceled, and no claims are added; as a result, claims 1-45 are now pending in this application with claims 1-19 currently pending examination. The amendments to the claims are fully supported by the specification as originally filed. No new matter is introduced. Applicant respectfully requests reconsideration of the above-identified application in view of the amendments above and the remarks that follow.

Support for the amendments to the claims may be found in the specification, for example, on page 21, lines 16-25 and page 23, lines 7-10.

Comment on Response to Arguments

Applicant does not agree with one or more comments in the Response to Arguments section of the instant Office Action. However, Applicant has limited the discussion of the traversal of the Office Action rejections to such discussion as is necessary to efficiently expedite the prosecution of the abovementioned application.

In the Title

The title is amended in line with the amendments to the claims. No new matter is introduced.

§112 Rejection of the Claims

Claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant traverses these grounds of rejection of these claims.

However, in view of the amendments to claim 1, Applicant submits that these rejections under 35 U.S.C. § 112, second paragraph, are moot.

Applicant respectfully requests withdrawal of these rejections of claims 1-6, and reconsideration and allowance of these claims.

First §102 Rejection of the Claims

Claims 1, 2, 5, 6, 12, 13, 16, and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Maeda (U.S. Patent No. 6,365,470). Applicant traverses these grounds of rejection of these claims.

Applicant cannot find in Maeda a disclosure, a teaching, or a suggestion of an electronic device having a film that includes LaAlO₃ arranged as a layered structure of one or more monolayers and Al₂O₃ arranged as a layered structure of one or more monolayers, as recited in amended claim 1. Therefore, Applicant submits that Maeda does not teach each and every claim element of claim 1, that Maeda does not teach the identical invention in as complete detail as is contained in claim 1, and/or that Maeda does not teach each and every claim element arranged as in claim 1. Thus, Applicant submits that Maeda does not anticipate claim 1 and that claim 1 is patentable over Maeda.

For at least reasons similar to those discussed with respect to claim 1, Applicant submits that independent claim 12 is patentable over Maeda. Claims 2, 5, and 6 and claims 13, 16, and 17 depend on claims 1 and 12, respectively. Therefore, Applicant submits that claims 2, 5, 6, 13, 16, and 17 are patentable over Maeda for at least the reasons stated herein.

Applicant respectfully requests withdrawal of these rejections of claims 1, 2, 5, 6, 12, 13, 16, and 17, and reconsideration and allowance of these claims.

Second §102 Rejection of the Claims

Claims 1, 3, 12, and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Snyder et al. (U.S. Publication No. 2003/0032270). Applicant traverses these grounds of rejection of these claims.

Applicant reserves the right to swear behind Snyder et al. (hereafter Snyder) at a later date.

Applicant cannot find in Snyder a disclosure, a teaching, or a suggestion of an electronic device having a film that includes LaAlO₃ arranged as a layered structure of one or more monolayers and Al₂O₃ arranged as a layered structure of one or more monolayers, as recited in amended claim 1. Therefore, Applicant submits that Snyder does not teach each and every claim element of claim 1, that Snyder does not teach the identical invention in as complete detail as is contained in claim 1, and/or that Snyder does not teach each and every claim element arranged as in claim 1. Thus, Applicant submits that Snyder does not anticipate claim 1 and that claim 1 is patentable over Snyder.

For at least reasons similar to those discussed with respect to claim 1, Applicant submits that independent claim 12 is patentable over Snyder. Claim 3 and claim 14 depend on claims 1 and 12, respectively. Therefore, Applicant submits that claims 2 and 14 are patentable over Snyder for at least the reasons stated herein.

Applicant respectfully requests withdrawal of these rejections of claims 1, 3, 12, and 14, and reconsideration and allowance of these claims.

Third §102 Rejection of the Claims

Claims 1, 4, 7-12, 15, 18, and 19 were rejected under 35 U.S.C. § 102(e) as being anticipated by Halliyal et al. (U.S. Patent No. 6,642,573). Applicant traverses these grounds of rejection of these claims.

Applicant reserves the right to swear behind Halliyal et al. (hereafter Halliyal) at a later date.

Applicant cannot find in Halliyal a disclosure, a teaching, or a suggestion of an electronic device having a film that includes LaAlO₃ arranged as a layered structure of one or more monolayers and Al₂O₃ arranged as a layered structure of one or more monolayers, as recited in amended claim 1. Therefore, Applicant submits that Halliyal does not teach each and every claim element of claim 1, that Halliyal does not teach the identical invention in as complete detail as is contained in claim 1, and/or that Halliyal does not teach each and every claim element arranged as in claim 1. Thus, Applicant submits that Halliyal does not anticipate claim 1 and that claim 1 is patentable over Halliyal.

For at least reasons similar to those discussed with respect to claim 1, Applicant submits that independent claim 12 is patentable over Halliyal. Claims 4 and 7-11 and claims 15, 18, and 19 depend on claims 1 and 12, respectively. Therefore, Applicant submits that claims 4, 7-11, 15, 18, and 19 are patentable over Halliyal for at least the reasons stated herein.

Applicant respectfully requests withdrawal of these rejections of claims 1, 4, 7-12, 15, 18, and 19, and reconsideration and allowance of these claims.

Withdrawn Claims

In the Restriction Requirement mailed 29 September 2005, original claims 1-6 was acknowledged as generic to all original species. Withdrawn independent claims 20, 26, 32, and 38 are amended such that claims 1-6 remain generic to withdrawn claims 20-45. With the allowance of claim 1, Applicant respectfully requests the rejoinder and allowance of claims 20-45. *See M.P.E.P. 809 and 821.04.*

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 371-2157 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,


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Date 5 January 2007

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5th day of January 2007.


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